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Agenda item 112 (f)
Elections to fill vacancies in subsidiary organs and other elections: election of seven members of the Organizational Committee of the Peacebuilding Commission

Letter dated 5 May 2006 from the Permanent Representative of Jordan to the United Nations addressed to the Secretary-General

Acting in accordance with the provisions set out in paragraph 4 (d) of General Assembly resolution 60/180, the 10 top providers of military personnel and civilian police to United Nations missions have selected the following 5 top providers to serve on the Organizational Committee of the Peacebuilding Commission for the first two-year term: Pakistan, Bangladesh, India, Nigeria and Ghana.

Once a new list of the 10 top contributors is submitted by the Secretary-General in anticipation of the expiration of this initial two-year period, the troop-contributing countries will give further consideration to the size of the contributions, and to the selection of those countries that were not selected previously and that remain on the list of the 10 top contributors.

(*Signed*) Zeid Ra'ad Zeid **Al-Hussein**
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of the Hashemite
Kingdom of Jordan to the United Nations
Facilitator for the Group of Top Ten Troop Contributing Countries

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Elections to fill vacancies in subsidiary organs and other elections: election of seven members of the Organizational Committee of the Peacebuilding Commission

Letter dated 8 May 2006 from the Deputy Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General

In accordance with paragraph 4 (c) of General Assembly resolution 60/180 and Security Council resolution 1645 (2005), it is my pleasure as facilitator of the group of 10 leading contributors to convey to you the 5 top providers of contributions to the United Nations to serve for the first term on the Organizational Committee of the Peacebuilding Commission. They are Japan, Germany, the Netherlands, Italy and Norway.

Recognizing the importance of involving each of the top contributors in the organizational work of the Peacebuilding Commission, and provided that there is no change in the composition of the list of the contributors, the 10 leading contributors have agreed that Sweden and Canada shall be provided the opportunity to serve in the second term.

I have conveyed the same information to the President of the Security Council.

(*Signed*) Alejandro D. **Wolff**
Ambassador

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Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Letter dated 12 May 2006 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General

I have the honour to attach information regarding the measures being taken by the Government of the Republic of Uzbekistan towards the abolition of the death penalty in the country by January 2008 (see annex).

I would appreciate it if you could circulate the present letter and its annex as a document of the General Assembly, under agenda item 71 (b).

(*Signed*) Alisher **Vohidov**
Permanent Representative
of the Republic of Uzbekistan

06-35030 (E) 170506

Annex to the letter dated 12 May 2006 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General

Information on measures being taken by the Government of Uzbekistan towards the full abolition of the death penalty by January 2008

Uzbekistan has been carrying out cardinal reforms in its legal and judicial spheres aimed at gradual liberalization of the State's penal system. In particular, the liberalization of the legal and judicial system provides for the steady reduction of the scope of the death penalty and its replacement by a life sentence or long prison term.

In recent years, the number of crimes for the commitment of which the death penalty can be imposed has been decreasing. In 1994 Uzbekistan's criminal law contained 33 articles providing for the death penalty. Currently, following the implementation of a set of measures to liberalize the criminal law, there is a provision for the death penalty for the commission of only two crimes — terrorism and premeditated murder under aggravating circumstances. Yet the provisions of these articles do not exclude other alternatives to the death penalty. In this context, it is worth noting that for the last few years the death penalty has not been imposed as a form of criminal punishment.

Under the current criminal law of the country the number of crimes punishable by the death penalty makes up less than 1 per cent of the overall number of criminally punishable acts. Regardless of the seriousness of the crime committed, the law prohibits the imposition of this penalty on men over 60 years of age, women and minors.

The State's policies in the sphere of criminal and judicial practice concerning the imposition of the death penalty fully conform to world trends and consistently reflect the principles of humanism and justice.

On the basis of the established principles and rules of international law and the provisions of the Constitution of the Republic of Uzbekistan, which proclaim and guarantee the human right to life, as well as for the purpose of taking specific measures to further liberalize criminal penalties, the President of Uzbekistan on 1 August 2005 issued a decree on the abolition of the death penalty in Uzbekistan. According to the decree the death penalty shall, as from 1 January 2008, be abolished as a form of punishment and be replaced by penalties in the form of a life sentence or a long prison term. It is fully consistent with the provisions of the International Covenant on Civil and Political Rights to which Uzbekistan is a party.

A wide range of measures are being taken at present in Uzbekistan for the implementation of the Presidential Decree on the abolition of the death penalty, in particular:

1. Introducing necessary amendments and additions to the Criminal Code, the Code of Criminal Procedure and the Criminal Executive Code of the Republic of Uzbekistan in connection with the elimination of the death penalty from the criminal penal system and its replacement by either life sentences or long prison terms.

2. Conducting wide-scale explanatory work among the citizens with the purpose of raising their awareness on the necessity of further liberalizing the criminal penal system. According to the public-opinion survey results conducted annually by the Centre for Public Opinion Studies, more than 75 per cent of respondents favour maintaining the death penalty in the criminal punishment system.

3. Taking preparatory measures for the construction of the specialized institutions necessary for the detention of convicted offenders sentenced to life imprisonment or long prison terms, as well as procedures for training personnel to work in these penitentiary facilities.

Consequently the abolition of the death penalty is associated with serious financial and technical issues, addressing which requires a certain time.

The Government of Uzbekistan is effectively cooperating with the United Nations Human Rights Committee, particularly in dealing, in a timely and appropriate manner, with communications of the Committee on suspension of execution of the death penalty with regard to those sentenced to death and whose cases are under the Committee's consideration.

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Question of Cyprus

Security Council
Sixty-first year

Letter dated 15 May 2006 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I would like to draw your attention to a letter addressed to you on 8 May 2006 by the purported "President of the Turkish Republic of Northern Cyprus", Mr. Mehmet Ali Talat, leader of the Turkish Cypriot Community. This letter was circulated as a document of the General Assembly and the Security Council under the symbol A/60/841-S/2006/286, upon a request of the Permanent Representative of Turkey to the United Nations, whose country continues to defy, instead of implementing, relevant Security Council resolutions, in particular 541 (1983) and 550 (1984), by which the Council considered the declaration which purported to create an independent State in northern Cyprus as legally invalid, called for its withdrawal and called upon all States not to recognize the purported State of the "Turkish Republic of Northern Cyprus" set up by secessionist acts, and not to facilitate or in any way assist the aforesaid entity.

Mr. Talat's letter of 8 May 2006 makes various incorrect assertions and draws distorted conclusions about the content of an interview of the President of the Republic of Cyprus, Mr. Tassos Papadopoulos, which was published in the French magazine *L' Express* on 4 May 2006. By taking out of its context the phrase "*... nous refusons catégoriquement un Etat qui comporterait deux zones distinctes et deux types de structures communales ...*", Mr. Talat jumps into the precipitous conclusion that the Greek Cypriot leadership rejects "the settlement parameters set in the relevant United Nations Security Council resolutions on Cyprus, the conclusions of the 1977-1979 Summit meetings agreed on between the leaders of the two sides".

In order to set the record straight, it should be pointed out that the paragraph, from which the said phrase was arbitrarily extracted, was as follows: "*... Pour moi, il ne peut pas y avoir d'accord qui n'envisage pas concrètement la réunification du territoire, de la société, de l'économie et, au final, celle des institutions au sein d'un seul et même Etat. Rien de tout cela n'existait dans le plan Annan. C'est pourquoi le peuple chypriote grec l'a rejeté : nous refusons catégoriquement un Etat qui comporterait deux zones distinctes et deux types de structures communales ...*".

06-35086 (E) 180506

It should also be noted that the interview of the President of the Republic of Cyprus to the French magazine was conducted in English and the length of its actual transcript in English was 10 pages. For obvious reasons related to space restrictions and journalistic editing, the interview that appeared in the magazine *L' Express* had to be significantly shorter. According to the actual English transcript of the interview, the aforementioned paragraph was as follows:

> "... So finally, the issue was put to a referendum and the Greek Cypriots rejected the (Annan) Plan by 76%. Now, I lose no opportunity in stressing that Greek Cypriots did not reject the Plan because they do not want a solution; they rejected it because it did not provide for the reunification of the country; on the contrary, it perpetuated all the partitionist, separatist provisions. When we say we need reunification of the territory: people to be free and allowed to settle; secondly, reunification of the Society, not everything being done separately: in duality — one Turkish — one Greek; reunification of the economy, and possibly joined economic activity in investment and all this. Finally, reunification of the institutions; of all the institutions of the State. None of these exists in the Annan Plan. So the Greek Cypriots rejected that particular Plan, not a solution of bizonal, bicommunal federation **to which we still remain committed**. But each of these terms: federal — there are various types of federation; bizonal — what does it mean? Ethnically cleansed areas? When all over Cyprus 82% were Greek Cypriots? Are we talking about pushing them out forever and prohibiting them from returning? And bicommunal: bicommunal does not mean duality in everything. I say sometimes when asked: we shall have a federation which will be bicommunal — and there are many countries in the world: Canada, Belgium — so that no one community can impose its will on political matters on the other, but at the same time no community should be able to bring the State to paralysis, to deadlock, because from deadlock then you have partition. So this is the outline of the issues we now have to face ...".

In conclusion, it comes out that what the President of the Republic of Cyprus said during his interview to the magazine *L' Express* was the exact opposite of what Mr. Talat so inadvertently claimed.

In fact and as reiterated on several occasions, the Greek Cypriot side remains committed to a fair and sustainable resolution of the Cyprus problem, which will be mutually and freely agreed by both communities, and "based on a State of Cyprus with a single sovereignty and international personality and a single citizenship, with its independence and territorial integrity safeguarded, and comprising two politically equal communities as described in the relevant Security Council resolutions, in a bicommunal and bizonal federation", pursuant to Security Council resolution 939 (1994).

We hope that Mr. Talat, instead of engaging in fallacious and unfounded assertions, will at last realize that it is now more than ever imperative to adopt a constructive approach, taking into account the legitimate concerns of all Cypriots, and allow the cautious but promising approach adopted by the United Nations, in the aftermath of the Paris meeting between President Papadopoulos and the Secretary-General of the United Nations, to move forward in order to prepare, through technical discussions, the ground for the full resumption of the good offices

mission of the Secretary-General and of meaningful negotiations for the settlement of the Cyprus problem.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 19, and of the Security Council.

(*Signed*) Andreas D. **Mavroyiannis**